

## CIVIL DOCKET

UNITED STATES DISTRICT COURT

Jury demand date: 9-10-69 (by pltf.) Waived 1-20-70

D. C. Form No. 106A Rev.

6

## TITLE OF CASE

## ATTORNEYS

N.C. Lewis

vs

S.H. Kress Company,  
a corporation

## For plaintiff:

Wesley V. Disney <sup>6-11-69</sup>  
Mayo Bldg., Tulsa, Oklahoma

## For defendant:

Alfred B. Knight  
212 Beacon Building  
Tulsa, Oklahoma 74103

## STATISTICAL RECORD

## COSTS

## DATE

NAME OR  
RECEIPT NO.

## REC.

## DISB.

J.S. 5 mailed 7-1-69

Clerk

6-11-69 Disney  
6-12-69 C/D 53

15 00

15 00

J.S. 6 mailed 6-1-70

Marshal

Basis of Action: Fall in  
store

Docket fee

Witness fees

Action arose at: Tulsa

Depositions

DATE	PROCEEDINGS	Date Order or Judgment Noted
6-11-69	Complaint filed. h Summons issued. h	
7-14-69	Return on summons, filed. Served S. H. Kress Co. by serving United States Corporation Co. at Oklahoma City, Okla, on 7-9-69. (\$4.00). ds	
7-29-69	Answer, filed. m	
8-19-69	Defendant's interrogatories, filed. ds	
8-22-69	Ordered that parties file pre-trial order on or before 9-29-69. (AEB-J) ds	
9-8-69	Plaintiff's application to request jury trial out of time, filed. ds	
9-10-69	Order granting pltf's application for jury trial, filed. (AEB-J)m	
9-22-69	Answers to interrogatories (N. C. Lewis), filed. g	
9-25-69	Application to strick from pre-trial, filed. js	
9-26-69	Deposition of Noah Clinton Lewis, on behalf of defendant, taken before Loyd J. Christesson, on 7-24-69, filed. \$100.00 pd by defendant. ds	
10-13-69	Order striking pre-trial setting, filed. (AEB-J) ds <i>Exps. 7 months delay</i>	
11-5-69	Minute Order: Parties directed to hold pre-trial and file pre-trial order not later than Dec. 8, 1969. (AEB-J)h	
12-8-69	Pre-Trial order, filed. (AEB-J) ds	
1-14-70	Waiver of jury, filed by defendant. ds	
1-14-70	Case set for jury trial on Monday, March 9, 1970, at 10 A.M.; counsel directed to file trial briefs and requested instructions not later than 2-1-70. (AEB-J)g	
1-20-70	Plaintiff's waiver of jury trial and case be tried to the court, filed. b	
1-28-70	Court orders that by agreement of parties, jury waived, and case stricken from jury docket of March 9, 1970 and to be reset on next non-jury docket. (AEB-J)h	
2-24-70	Court orders that pursuant to letter of 2-11-70, case stricken from jury docket of 3-9-70, to be reset on next non-jury docket, both sides having waived jury. (AEB-J)h	
4-6-70	Case set for non-jury trial at 10 A.M., April 13, 1970; trial briefs to be filed on or before 4-10-70. (AEB-J)g	
4-8-70	Motion For Continuance, with Affidavit, filed. js	
4-9-70	Ordered by the court that this case is stricken from the non-jury assignment of 4-13-70. (AEB-J) ds <i>Exps. 7 months delay</i>	
5-4-70	Application of parties to dismiss with prejudice, filed. m	
5-8-70	Order of dismissal with prejudice, filed and entered. (AEB-J)g. cpy to counsel.	